

Department of the NAVY Foreign Disclosure

- This documentation of the Foreign Disclosure process will increase understanding of the roles and responsibilities of personnel throughout the US Navy regarding foreign disclosure
- Reduce “confusion” about foreign disclosure



Applicability

- The Foreign Disclosure process applies to all DoN organizations and personnel involved in initiatives that may result in the disclosure of Controlled Military Information (CMI) or Controlled Unclassified Information (CUI) to foreign governments, their representatives, or persons sponsored by them



Navy International Programs Office (NIPO) Key Player



- Deputy Assistant Secretary of Navy for International Programs
- Overall responsibility for policy, implementation and oversight of the Navy Security Assistance Training Program (SATP)
- Delegated Foreign Disclosure Authority for DoN
- DoN representative on National Disclosure Policy Committee (NPDC), working groups, etc, to execute the Foreign Disclosure Program
- Executive Secretary of the Technology Transfer and Security Assistance Review Board (TTSARB) coordinate all significant foreign disclosure issues to establish a coordinated DoN decision

NIPO's Role (Continued)

- Prepare and publish the DoN Foreign Disclosure Manual (the disclosure “Bible”)
- Develop a training program for DoN personnel involved in disclosure of information concerning international programs
- Delegate, in writing, foreign disclosure authority to Navy activities (SYSCOMs, ONI, etc,) if considered mission essential and in the interest of US Government. These activities have Delegated Disclosure Authority (DDA)

NIPO CONTACT

- Foreign Disclosure Program Manager:
 - LT Brian Bloom
 - NIPO 01B24
 - 703-764-2382 DSN 764
 - brian.bloom@navy.mil



NETSAFA's ROLE

- Training agent for the Security Assistance Training Program (SATP) – all Navy training
- Provide coordination at all points in the Foreign Disclosure process
- Ensure the right things happen at the right time



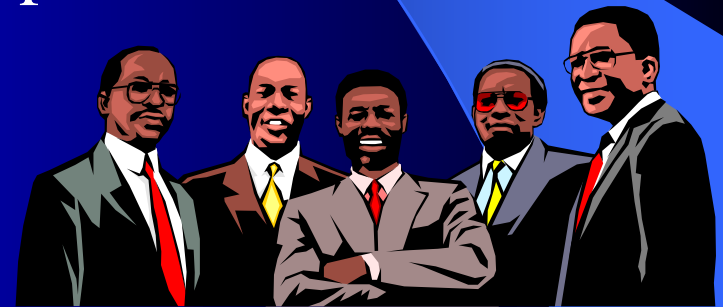
Naval Education & Training Security Assistance Field Activity CONTACT

- Foreign Disclosure Program Manager:
 - Jim Wiesner
 - NETSAFA N-14
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 - jim.wiesner@navy.mil



Who is involved?

- Foreign Government POCs (military and civilian)
- Security Assistance Officer (SAO)s, Embassy reps
- Country Program Managers (CPM), manage international training
- Foreign Disclosure Officers/Experts
- Subject matter experts (SME)
- Instructors
- Course Directors
- International Students



PROGRAM IMPORTANCE

- Control the release of CMI and CUI to Foreign Governments, International Organizations and Foreign Representatives
- Classified information is a US national asset and will not be released without a clear benefit to US
- Much greater emphasis on partnerships, building coalitions, joint developments
- Failure to comply is unlawful
- Information sharing – WITH GREAT CARE

Effects of 9/11, Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) on Foreign Disclosure

Increased Cooperation with Traditional Allies
(OEF, OIF)

+

New Partners

(Former Soviet Republics, New NATO members)

+

Increased Defense Spending
(onslaught of new technology)

+

Transformation

Increase in number and complexity
of disclosure requests

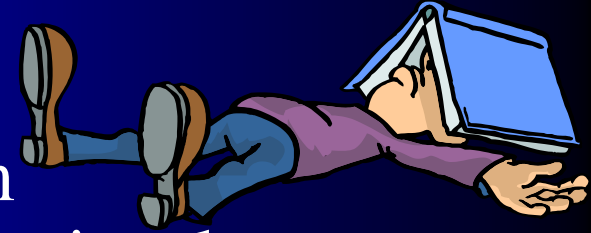
MISTAKES

Unauthorized release of CMI and CUI,
failure of international student to receive prior disclosure
approval and/or desired training can cause

- training funds to be wasted
- embarrassment to the US
- international incidents
- damage to the US National Security



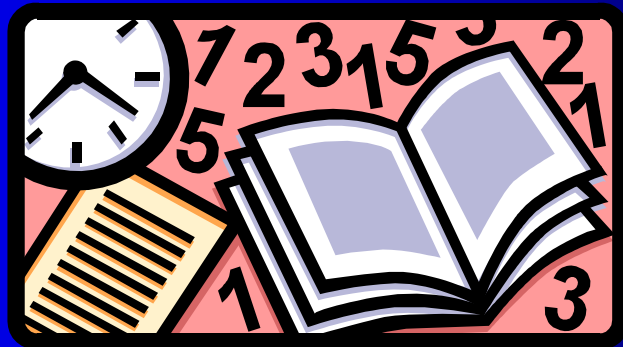
Guidance



- National Security Decision Memorandum (NSDM) 119, Jul 1971 – provides basic national policy on the disclosure of CMI to foreign governments
- Arms Export Control Act (AECA) – statutory basis for control of transfer of defense items
- International Traffic in Arms (ITAR) – implements the statutory authority to control the transfer of defense items
- EO 12958, Apr 1995 – establishes the Executive Branch's Classified National Security Program
- SECNAVINST 5510.34A, Oct 2004 – provide DoN foreign disclosure policy
- DoN Foreign Disclosure Manual, Sep 2004 – implements DoN foreign disclosure policy

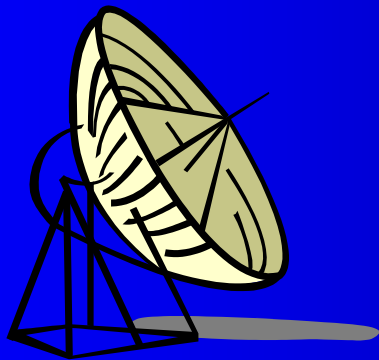
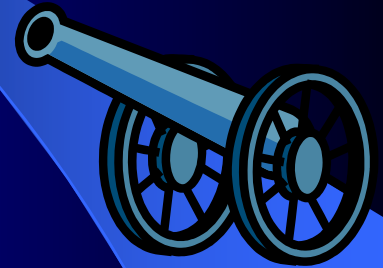
Principles of Information Release

- Will be in support of US National Security Interests and Foreign Policy
- Must not jeopardize US Military Security
- Will be protected like we would protect it
- Must clearly benefit the US
- Must be limited to the information necessary to satisfy the purpose of authorization



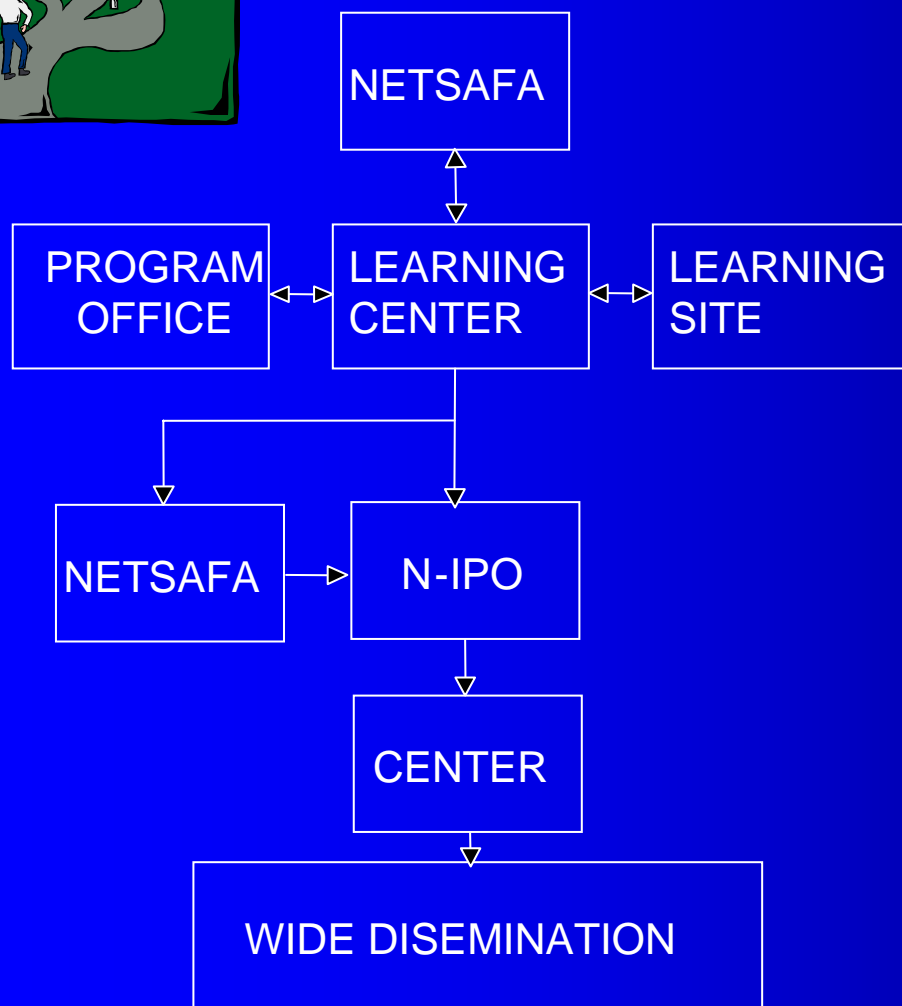
Parameters

- Government to government transfer
- Equipment in recipient government's inventory or on order
- Supported by an LOA or export license
- Not to be passed on to 3rd country
- Not to be used for other purposes (dual use items)



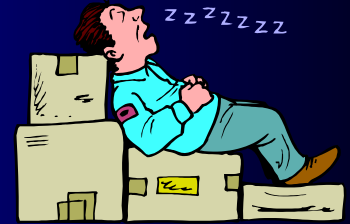


Disclosure Process



- NETSAFA Requests Training that involves classified course
 - Learning Center (LC) coordinates training request with Learning Site (LS) as required.
 - LS submits training course material list to LC for Disclosure review as required
 - LC coordinates with PO to verify training course material is authorized for disclosure as required
 - LC submits 5510 information to Navy-IPO Website *
 - LC notifies NETSAFA info is on Navy-IPO Website *
 - NETSAFA submits Disclosure request to Navy -IPO
 - N-IPO/Delegated Disclosure Authority develops the Disclosure Authorization letter
 - LC posts Disclosure Authorization on NKO
 - NIPO, NETSAFA, Instructors, and all other stakeholders
- * These steps are not required when a country requests a quota for a course for which they have never previously been approved **if** a disclosure review has already been done for another country and the 5510 information is current on the NIPO web site. Each activity with Delegated Disclosure Authority (DDA) will have their own review process.

Disclosure Process



- PLAN (training sometimes 3-4 years in advance)
 - courses may be tailored for internationals only
- DISCLOSURE REQUEST (initiated when training line is programmed by NETSAFA)
- ALL CLASSIFIED INFORMATION USED IN COURSE IS COLLECTED
 - for new or significantly changed courses
 - done by Training Site/Center, course director, instructor
- 5510 INFORMATION PROVIDED to NIPO
 - SIPRNET/secure mail
- Each DDA has their own reviewing process

5510 Foreign Military Training (FMT) Disclosure Process

- FMT information required by NIPO
The “devil is in the details”
- Include as much information and detail as possible on the program
- Program can not transmit PDF files
- Send additional information (curricula, synopsis, outlines, etc.) to NIPO POC e-mail address
- Address any questions you have to NIPO or NETSAFA POC



FMT WEB SITE

Here is the link of the FMT website:

<https://www.nipo.navy.mil/fmt/>

For access obtain loginID and password from NIPO POC. Use lowercase for login and password. Once in the web site select the data entry tab and either new course or update a course depending on if the course info already exists in the database. Next follow the instructions to enter course material.

Here are some tips/suggestions:



FMT WEB SITE (con't)



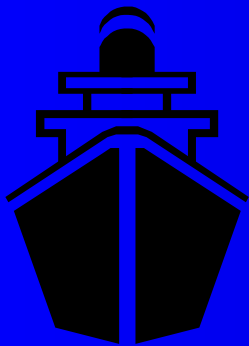
- 1. If you need assistance the manual is located under documentation on the top right corner
- 2. Access: Do the students physically handle the documents. If not but the course is still informed by the publication the answer is no in this field
- 3. Detail: Provides any supplemental information which can help clarify the topic. (i.e.- Are only certain chapters or sections used? What is the classification of those parts?)
- 4. Version: Which publication version is currently being used?

FMT WEB SITE (con't)

- 5. Date: What is the publication date of the document being used?
- 6. OPR: Office of primary responsibility is the office who "owns" the pub and is sometimes listed as the PRA (primary review authority)
- 7. Importance: How important is this pub to the course? Low means the pub could be removed and not fundamentally alter the course or necessitate too much editing. Medium means it would alter the course and necessitate editing but the course could still be taught. High means if the pub is removed, it is impossible to teach this course

FMT WEB SITE (con't)

- 8. Training aids: Includes any devices, field trips or CBT's used
- 9. Equipment: Lists any aircraft, ships, trainers, simulators etc. used in the course
- 10. Be advised that the attachment function is not currently working



FMT GUIDANCE

- Proper FMT inputs

Short Title	Long Title	Access	Class.	Detail	Version	Date	OPR	Importance
NWP-16	Passive Acoustic Classification Reference	YES	S		Original	07/25/03		LOW
NWP-55-2-1	Air ASW Supplements	YES	S		Original	07/25/03		LOW
DARTS Acoustic Guides	DARTS Acoustic Guides	YES	S		Original	07/25/03		LOW

Training Aids:

Short Title	Long Title	Access	Class.	Detail	Version	Date	OPR	Importance
CBT	Computer Based Training	YES	S	Training material on system reaches the Secret level, but can be sanitized and access restricted to allow use by users with only Unclass clearance level.	Original	09/30/03		HIGH

FMT GUIDANCE (cont...)

Equipment:

Short Title	Long Title	Access	Class.	Detail	Version	Date	OPR	Importance
SH-60B OFT	SH-60B Operational Flight Trainer (2F135)	No	U		Original	09/30/03	OFT used in FAM stage of training as a procedural	HIGH
SH-60B TOFT	SH-60B TOFT (2F135A)	Yes	U		Original	09/30/03	TOFT required use in ASUW phase of training. TOFT can be used for FAM and	HIGH
SH-60B WTT	SH-60B Weapons Tactics Trainer (2F135B)	No	U		Original	09/30/03	WTT used in ASW and ASUW phases	HIGH
SH-60B	SH-60B	YES	U	Flights conducted throughout course in SH-60B Aircraft. Training includes Familiarization,	Original	09/30/03		HIGH

instrument, and tactical flights to include ASW

Other:

Short Title	Long Title	Access	Class.	Detail	Version	Date	OPR	Importance

Disclosure Process (Continued)



- CLASSIFIED MATERIAL REVIEWED
 - staffed out to SMEs, committees, negotiations
- APPROVAL/DENIAL OF RELEASE
 - may require further justification (Exception to the National Disclosure Policy, NDP-1) from SAO
- DISCLOSURE AUTHORIZATION (DA) or DELEGATION OF DISCLOSURE LETTER (DDL) ISSUED (NOFORN)
 - conditions of release (country(s), classification level, oral, visual, no copies, exclusions, etc,)
 - sent to Learning Site/Center (instructor guide for proper release), copy to NETSAFA

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Delegation of Disclosure Letter

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ountries: Neverland

Navy IPO Case #: TRA-999-04

IN: A-123-4567

MASL: 123456

ourse Title: MICKEY MOD 6 Maintenance Course

ef: (a) Course Materials Listing (5510) submitted online dated 12/01/99.

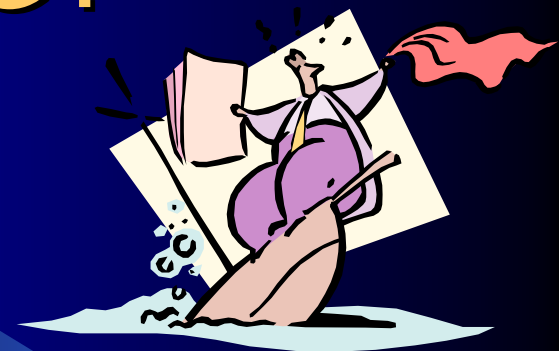
- . The contents of this Delegation of Disclosure Letter (DDL) are not releasable to foreign nationals, including Foreign Liaison Officers, Cooperative Program Personnel, and those filling Personnel Exchange Program (PEP) billets. The contents of this DDL, however, should be widely briefed to U.S. Navy personnel involved in the subject training or having routine contact with the foreign student(s).
- . This authorization remains valid until changes occur to course materials provided by reference (a) or until cancelled by separate action.
- . Authority is granted for disclosure of the course materials as outlined in reference (a) to appropriately cleared representatives of the country(s) listed above attending this course, subject to the following limitations. Prudence and good judgment should be used by commanders/commanding officers for topics not specifically addressed by this DDL where disclosure authorization is in doubt.
- . Disclosure will be on an oral and visual basis only. Oral and visual disclosure is defined as to brief orally, expose to view, or permit use under U.S. supervision in order to permit the transfer of knowledge or information, but not to physically transfer documents, material, or equipment to a foreign government or its representatives. Students are authorized to retain unclassified notes and briefs received during the course.

Disclosure Process (Continued)

- TRAINING EXECUTED according to direction in DDL

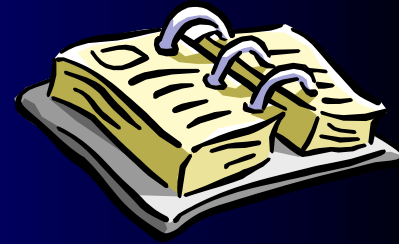


WHAT CAN GO WRONG?



- False Impressions
- Disclosure isn't approved in time
 - training plan jeopardized
 - Invitational Travel Orders (ITO) not issued in time, students can't travel
 - students already here, can't attend class
 - training must be rescheduled or cancelled
 - equipment, but no training
- Embarrassment (students aren't informed of exclusion portions)
- Security breach
- Instructor misunderstands or fails to follow DDL

Current Issues



- Ship transfer
 - Older variants of equipment (AN/SYS 2 V(2) vs V(5))
 - Need for translators and possible shipboard trg
- Older DDL's – DDL's or DA's that are five years or older should be reviewed for accuracy
 - If no changes to the course content, DA is still good
 - If changes have been made, send a request to IPO for an updated DDL
 - Prioritize requests: send us requests for courses that foreign students participate in regularly first.
 - All DDL's and DA's require an update when a undergoes significant changes

SUMMARY

- Affects US National Security
- Can help build partnerships
- Must be executed CAREFULLY
- Better communication will help to reduce the “confusion” about Foreign Disclosure

